

FISHERIES

Tuna

**Agreement Between the
UNITED STATES OF AMERICA
and CANADA**

Amending the Treaty of
May 26, 1981

Effected by Exchange of Notes
Signed at Washington October 3 and 9, 1997



NOTE BY THE DEPARTMENT OF STATE

Pursuant to Public Law 89—497, approved July 8, 1966
(80 Stat. 271; 1 U.S.C. 113)—

“...the Treaties and Other International Acts Series issued under the authority of the Secretary of State shall be competent evidence . . . of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and international agreements other than treaties, as the case may be, therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public offices of the United States, and of the several States, without any further proof or authentication thereof.”

CANADA

Fisheries: Tuna

Agreement amending the treaty of May 26, 1981.

Effected by exchange of notes

Signed at Washington October 3 and 9, 1997;

Entered into force October 9, 1997.

DEPARTMENT OF STATE,
WASHINGTON

[October 3, 1997]

Excellency:

I have the honor to refer to the Treaty between the Government of the United States of America and the Government of Canada on Pacific Coast Albacore Tuna Vessels and Port Privileges, with annexes, signed at Washington May 26, 1981 ("the Treaty"). As contemplated in Article VII of the Treaty, I have the honor to propose, on behalf of the Government of the United States of America, that Annex B of the Treaty be amended to read as follows:

"Annex B

1. Fishing vessels of the United States of America shall, pursuant to Article II, be authorized to enter the following ports located in Canada:
 - Coal Harbour
 - Port Hardy
 - Prince Rupert
 - Victoria
 - Vancouver
 - Ucluelet
2. Canadian fishing vessels shall, pursuant to Article III, be authorized to enter the following ports located in the United States of America:
 - Astoria
 - Bellingham
 - Coos Bay
 - Eureka
 - Newport
 - Westport"

If this proposal is acceptable to the Government of Canada, I have the further honor to propose that this note, together with Your Excellency's favorable reply, shall constitute an Agreement between our two Governments, which shall enter into force on the date of Your Excellency's note in reply.

Accept, Excellency, the renewed assurances of my highest consideration.

For the Secretary of State:



His Excellency,
Raymond Chretien,
Ambassador of Canada.

Canadian Embassy



Ambassade du Canada

Note No. 0314

Madam Secretary of State,

I have the honour to acknowledge receipt of your Note, concerning the Treaty between the Government of Canada and the Government of the United States of America on Pacific Coast Albacore Tuna Vessels and Port Privileges, with annexes, signed at Washington May 26, 1981, which reads as follows:

"I have the honor to refer to the Treaty between the Government of the United States of America and the Government of Canada on Pacific Coast Albacore Tuna Vessels and Port Privileges, with annexes, signed at Washington May 26, 1981 ("the Treaty"). As contemplated in Article VII of the Treaty, I have the honor to propose, on behalf of the Government of the United States of America, that Annex B of the Treaty be amended to read as follows:

"Annex B

1. Fishing vessels of the United States of America shall, pursuant to Article II, be authorised to enter the following ports located in Canada:

Coal Harbour

Port Hardy

Prince Rupert

Victoria

Vancouver

Ucluelet

2. Canadian fishing vessels shall, pursuant to Article III, be authorised to enter the following ports located in the United States of America:

Astoria
Bellingham
Coos Bay
Eureka
Newport
Westport"

If this proposal is acceptable to the Government of Canada, I have the further honor to propose that this note, together with Your Excellency's favorable reply, shall constitute an Agreement between our two Governments, which shall enter into force on the date of Your Excellency's note in reply.

Accept, Excellency, the renewed assurances of my highest consideration."

I have the honour to advise you that the Government of Canada has accepted the proposal, and, accordingly, your Note and this Note in reply, which is equally authentic in English and French, shall constitute an Agreement between our two Governments, which shall enter into force on the date of this reply.

Accept, Madam Secretary, the renewed assurances of my highest consideration.

Washington, D.C., October 9, 1997

Your sincerely,

A handwritten signature in dark ink, appearing to read 'D.G. Waddell', written in a cursive style.

D.G. Waddell

Minister (Economic)

and Deputy Head of Mission

The Honourable Madeleine Korbelt Albright
Secretary of State

Canadian Embassy



Ambassade du Canada

Note no. 0314

Madame le Secrétaire d'État,

J'ai l'honneur d'accuser réception de votre Note, concernant le Traité entre le Gouvernement du Canada et le Gouvernement des États-Unis d'Amérique concernant les thoniers (thon blanc) du Pacifique et leurs privilèges portuaires, et ses annexes, signée à Washington le 26 mai 1981, qui se lit ainsi:

« J'ai l'honneur de me référer au Traité entre le Gouvernement du Canada et le Gouvernement des États-Unis d'Amérique concernant les thoniers (thon blanc) du Pacifique et leurs privilèges portuaires, et ses annexes, signé à Washington le 26 mai 1981 (le « Traité »). Comme le prévoit l'Article VII du Traité, j'ai l'honneur de proposer, au nom du Gouvernement des États-Unis d'Amérique, que l'annexe B du Traité soit modifiée comme suit:

«Annexe B

1. En conformité avec l'Article II, les navires de pêche des États-Unis d'Amérique sont autorisés à avoir accès aux ports suivants au Canada:

Coal Harbour

Port Hardy

Prince Rupert

Victoria

Vancouver

Ucluelet

2. En conformité avec l'Article III, les navires de pêche du Canada sont autorisés à avoir accès aux ports suivants aux États-Unis d'Amérique:

Astoria

Bellingham

Coos Bay

Eureka

Newport

Westport"

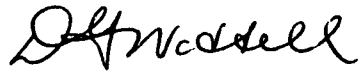
Si cette proposition convient au Gouvernement du Canada, j'ai en outre l'honneur de proposer que la présente Note, ainsi que la Note en réponse dans laquelle vous donnez une réponse favorable, constituent entre nos deux Gouvernements un Accord, qui entrera en vigueur à la date de la Note en réponse de l'Ambassade.

Veillez agréer, Monsieur l'Ambassadeur, les assurances renouvelées de ma très haute considération. »

J'ai l'honneur de vous informer que le Gouvernement du Canada accepte la proposition et que, par conséquent, votre Note et la présente Note en réponse, dont les versions anglaise et française font également foi, constituent entre nos deux Gouvernements un Accord qui entrera en vigueur à la date de la présente Note en réponse.

Veillez agréer, Madame le Secrétaire d'État, les assurances renouvelées de ma très haute considération.

Washington D.C., le 9 octobre 1997

A handwritten signature in dark ink, appearing to read 'D. G. Waddell', with a stylized, cursive script.

D. G. Waddell

Ministre (économique)

et Chef de Mission adjoint

L'honorable Madeleine Korbé Albright
Secrétaire d'État